

**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public Services - Commercial Taxes Department - Allegations of corruption against Sri V. Karunakar Babu, Junior Assistant (AO-1) and Sri G. Anandam, Attender (AO-2), O/o Commercial Tax Officer, Musheerabad, Hyderabad - Trapped on 28.11.2005 - Prosecuted - Acquitted by the Principal Special Judge for SPE & ACB Cases, Hyderabad - Regularization of suspension period of Sri V. Karunakar Babu, Junior Assistant as 'on duty' - Orders - Issued.

**REVENUE (VIGILANCE.I) DEPARTMENT**

**G.O.Rt. No. 630**

**Dated.25.4.2012.**

**Read the following:**

1. From the DG, ACB, Letter, Rc. No. 223/RCT-CR1/2005, dated 15.05.2006.
2. G.O.Ms.Nos.1175 & 1176, Revenue (Vig. I) Dept., Dt: 18.8.2006.
3. From the DG, ACB, Letter, Rc. No. 223/RCT-CR1/2005, Dated 28.10.2011.
4. Judgment of the Court of Prl. Spl. Judge for SPE & ACB Cases, City Civil Court, Hyderabad in CC No.52/2006, dt.30.08.2011.
5. Govt., Memo.No.57779/Vig.I (2)/2005-7, dt.18.11.2011.
6. From the CCT's.Ref.Vig (4)/1494/2005, dt.27.2.2012

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**ORDER:-**

It has been brought to the notice of the Government that Sri V.Karunakar Babu, Junior Assistant and Sri G.Anandam, Attender, O/o the Commercial Tax Officer, Musheerabad, Hyderabad were trapped by the Anti-Corruption Bureau on 28.11.2005, for alleged demand and acceptance of illegal gratification of Rs.1500/- from the complainant Sri A. Ramchander, S/o late Rajesham, Hyderabad for showing an official favour i.e., in preparing three years assessment in order to get the refund amount from the Commercial Tax Office and accepting the bribe amount through Sri G. Anandam, Attender of the same office.

2) And whereas, in the reference 2<sup>nd</sup> read above, sanction was accorded to the Director General, Anti-Corruption Bureau to prosecute the Accused Officers, Sri V.Karunakar Babu, Junior Assistant and Sri G.Anandam, Attender, O/o the Commercial Tax Officer, Musheerabad, Hyderabad, in a Court of Law.

3) And whereas, in the reference 4<sup>th</sup> read above, the Principal Special Judge for SPE & ACB Cases, Hyderabad delivered judgment on 30.8.2011 in CC No.52/2006 and held that the Accused Officer-1 Sri V.Karunakar Babu and Accused Officer-2 Sri G.Anandam are not found guilty of the charges framed against them under Sections 7 & 13(1)(d) r/w Section 13(2) Prevention of Corruption Act, 1988 and Section 12 of the P.C. Act, 1988 respectively and consequently acquitted them under section 248(1) of Criminal Procedure Code.

4) And whereas, in the reference 5<sup>th</sup> read above, based on the proposal of the Director General, Anti-Corruption Bureau, Government have accorded permission to the Director General, Anti-Corruption Bureau to file an appeal in the High Court of A.P against the acquittal judgment, dt: 30.8.2011 of the Principal Special Judge for SPE & ACB Cases, Hyderabad in CC No. 52/2006.

**P.T.O.,**

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5) And whereas, in the reference 6<sup>th</sup> read above, the Commissioner of Commercial Taxes, AP., Hyderabad, while forwarding the report of the Deputy Commissioner (Commercial Taxes), Secunderabad Division and representation of Sri V. Karunakar Babu, Junior Assistant has requested to issue necessary instructions in the matter. In his representation, Sri V. Karunakar Babu, Junior Assistant has requested for release of annual grade increments due for the years 2005 - 2008 and to regularize the suspension period as on duty and to pay the allowances after adjusting the subsistence allowances which was paid during the suspension period; keeping in view the acquittal judgment of Trial Court.

6) Government have examined the representation of Sri V. Karunakar Babu, Junior Assistant; keeping in view of the ratio of the judicial pronouncement made by the Hon'ble High Court in W.P.No.27607, 27614 and 22929 of 2009, dt.28.1.2010 and the fact that the tainted amount was not recovered from him. Accordingly Government consider that his suspension was wholly unjustified and decided to regularize the suspension period of the individual as on duty; without prejudice to the Criminal Appeal being filed before the Hon'ble High Court. Accordingly, Government hereby order to regularize the suspension period of Sri V. Karunakar Babu, Junior Assistant from 29.11.2005 to 31.7.2008 as on duty; without prejudice to the Criminal Appeal being filed before the High Court of A.P.,

7) The Commissioner of Commercial Taxes, AP., Hyderabad shall take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASUTOSH MISHRA  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
Sri V.Karunakar Babu, Junior Assistant, O/o CTO, Musheerabad, Hyderabad.  
through Commissioner of Commercial Taxes, A.P. Hyderabad.  
The Commissioner of Commercial Taxes, A.P. Hyderabad.  
Copy to  
The Director General, Anti Corruption Bureau, Hyderabad.  
The Secretary to VC, A.P. Vigilance Commission.  
The Director of Treasuries & Accounts, Hyderabad.  
The Revenue(CT.III) Department.  
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER.